

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

Joe Shields	§	
	§	
Plaintiff,	§	
v.	§	CIVIL ACTION NO. 4:13-cv-02426
	§	
Sears Roebuck and Company, et al.	§	
	§	
Defendants.	§	

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff Joe Shields, Pro se ("Plaintiff"); Defendant Air Specialist Heating and Air Conditioning Company, Inc. ("Defendant Air Specialist"); Defendant Sears, Roebuck and Company; and Defendant Home Improvement Leads, Inc. file this joint stipulation of dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

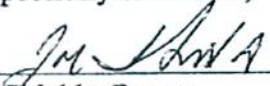
1. No parties, other than the parties identified in the preceding paragraph, have appeared in this case.
2. On August 19, 2013, Plaintiff sued Defendants.
3. Plaintiff moves to dismiss the suit as to Defendant Air Specialist only.
4. Defendant Air Specialist, who has filed an answer, agrees to the dismissal.
5. Defendants Sears, Roebuck and Company; and Home Improvement Leads, Inc., both of which have filed answers, agree to the dismissal of Defendant Air Specialist.
6. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.
7. A receiver has not been appointed in this case.
8. This case is not governed by any federal statute that requires a court order for dismissal of the case.

9. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.

10. This dismissal is with prejudice with each party to bear its own costs of court.

DATED this 10<sup>th</sup> day of October ~~September~~ 2013.

Respectfully submitted,

  
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Joe Shields, Pro se  
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Friendswood, Texas 77546  
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PLAINTIFF

s/ Keith M. Remels  
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Keith M. Remels  
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ATTORNEY FOR  
DEFENDANT  
AIR SPECIALIST HEATING  
AND AIR CONDITIONING  
COMPANY, INC.

s/ Andrew M. Scott (by permission)

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ATTORNEY FOR

DEFENDANTS

SEARS, ROEBUCK AND

COMPANY; and HOME

IMPROVEMENT LEADS, INC.

**CERTIFICATE OF SERVICE**

This is to certify that on this 10<sup>th</sup> day of October 2013, a true and correct copy of the foregoing was filed electronically through the Court's Electronic Filing System. Service of the foregoing on the following counsel will be automatically accomplished through the Notice of Electronic Filing, while service on Plaintiff Joe Shields, Pro se, 16822 Stardale Lane, Friendswood, Texas, 77546, will be accomplished by certified U.S. mail, return receipt requested:

Mr. Andrew M. Scott  
Gordon & Rees LLP  
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1900 West Loop South,  
Suite 1000  
Houston, Texas 77027

s/ Keith M. Remels

Keith M. Remels